

March 10, 2010

TO: Teresa Parsons  
Director's Review Program Supervisor

FROM: Kristie Wilson  
Director's Review Investigator

RE: **Sharone Fischer v. Central Washington University (CWU)**  
**Allocation Review Request No. ALLO-09-056**

On December 16, 2009 a Director's Review meeting took place by telephone conference call concerning the allocation of Sharone Fischer's position. Present during the telephone conference call were Sharone Fischer, CWU; Michelle Adams, CWU Supervisor; Stephen Sarchet, CWU Human Resource (HR) Office; Steve Wenger, CWU Wildcat Shop Director; and myself.

### **Investigator Finding**

As the Director's review investigator, I carefully reviewed and considered all of the documentation in the file, the class specifications, and the information provided during the Director's review conference. Based on my review and analysis of Ms. Fischer's assigned duties and responsibilities, I find that the classification that best fits Ms. Fischer's overall duties and responsibilities is the Graphic Designer.

### **Background**

On July 6, 2009, Ms. Fischer submitted a Position Review Request Form (PRR) to the CWU HR Office requesting that her position be allocated from a Program Assistant to a Graphic Designer. Mr. Sarchet reviewed her request and also met with Ms. Fischer, her supervisor, Ms. Adams, and Ms. Anderson. Mr. Sarchet issued his decision by letter dated September 9, 2009 (Exhibit B-5). In his letter, Mr. Sarchet outlined the reasons and basis for his denial. On September 14, 2009, Ms. Fischer filed a request for a Director's review and included a memo from her supervisor, Ms. Adams (Exhibit A-13) supporting Ms. Fischer's Director's review request.

### **Summary of Ms. Fischer's and Ms. Adam's Comments**

Ms. Fischer works in the Custom Publishing Department of the Wildcat Shop at CWU. Ms. Fischer asserts that her primary job duties consist of:

- Create complex marketing and display projects (Exhibits A-9 & 10).
- Develop technical acuity in Adobe Creative Suite to create fresh projects efficiently.
- Create layouts and file for use in the store, newspaper, campus presentation, and direct mail.
- Responsible for original concept development and multi-media project management to promote the Wildcat Shop and CWU campus events.
- Create layouts, take photographs, create illustrations, and manipulate images for project use.
- Review and edit all submitted text for accuracy and readability.
- Maintain log of project progress.

Ms. Fischer feels that her position is clearly a Graphic Designer. She states that her position's duties have increased over 40% from the original 10-15% allocated to graphic design. Her position has been projected by management to continue to increase. Her projects now involve multiple parts and media formats within individual projects for the entire store. Projects have increasingly been requested by various departments outside the Wildcat Shop, including a complete redesign of the Chimposium gift shop on campus.

Ms. Fischer's supervisor, Ms. Adams, asserts that there were several factors that influenced and confused the review performed by Mr. Sarchet. Ms. Adams states that she is the sole supervisor for Ms. Fischer; she allocates her time and work. Ms. Adams states that Ms. Anderson was listed as the "supervisor" for graphic and she was the only supervisor consulted and that she gave incorrect and incomplete information. The other concern of Ms. Adams was that Ms. Fischer was asked to submit a copy of the project time sheet (Exhibit A-12) she kept that details actual time spent on the computer producing projects. This time sheet was then used as the sole basis for the percentage of time that Mr. Sarchet said that Ms. Fischer spends performing "graphic design" functions. Ms. Adams explained to Mr. Sarchet that this time sheet is not accurate for coming up with a percentage of time spent on graphic design work functions because it only includes hours spent at the actual computer. Ms. Adams asserts that Ms. Fischer performs other graphic design work outside actual computer work, such as consulting with clients on projects or custom publishing. Ms. Adams states that this time sheet was originally created to show management that Ms. Fischer's graphic design work has increased.

Ms. Fischer and her supervisor, Ms. Adams, feel that her position is far above the work of a Program Assistant.

### **CWU HR Comments**

CWU states that Ms. Fischer's position review request, dated July 29, 2009 (Exhibit A-4), is accurate. CWU asserts that during the allocation meeting Ms. Adam's stated that she believes that Ms. Fischer is spending about 90 hours a month doing graphic design work and that Ms. Fischer keeps a log of the hours she spends on large graphics projects. The CWU HR Office reviewed this log (Exhibit A-12) in addition to Ms. Fischer's duties and responsibilities and determined that Ms. Fischer's position should not be reallocated at this time. The determination was based on the fact that the preponderance of the duties and responsibilities of the position are of a nature, complexity, and scope that are in general conformance with, and best described by the Program Assistant class specification.

CWU could not find enough evidence to support Ms. Adams' claim that Ms. Fischer spends 90 hours a month doing graphic design work. When applying the margin of error of plus or minus 5% to the log of hours provided by Ms. Fischer, they still only were able to arrive at 32% - 37% of Ms. Fischer's time being dedicated to graphic design projects over the six months leading up to the position audit request. CWU indicates that this seems to confirm Ms. Fischer's estimate that 40% of her time is spent on graphic design.

### **Reason and Basis for Finding**

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. See Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The definition for Graphic Designer states:

Designs and produces a variety of graphic projects including printed publications, video, slideshows, three-dimensional exhibits, and illustrative materials, using tools such as computers and their associated peripherals.

The distinguishing characteristics for Graphic Designer states:

This is the journey level within the series. Under general supervision, designs and prepares original artwork for a variety of communication purposes. Positions are responsible for developing and designing a variety of illustrative materials in conjunction with a client. Positions work independently and provide recommendations and advice to clients on practical applications of graphic design, selection of paper stock, type-style, ink colors, photography, and in determining the most appropriate methods and techniques of designing and producing illustrative materials and publications targeted toward a specific audience.

Ms. Fischer's position receives an average of 11 graphics requests a month. She has completed 128 graphic projects for FY 08-09. This was confirmed by Ms. Adams, as the Custom Publishing Supervisor and the individual responsible for the allocation of time and work to Ms. Fischer's position. Ms. Adams emphasized that the time sheet only reflected actual hours spent on the computer. Ms. Adams explained that in addition to more than 40% of actual time spent at the computer, Ms. Fischer also conferred with clients on projects and worked with Graphic Arts students troubleshooting designs and program problems. Further, Ms. Adams affirmed the complexity of work assigned to Ms. Fischer's position has evolved to include projects involving multiple parts and medial formats for the entire store. Ms. Adams indicated "Ms. Fischer has been assigned complex, high level skill projects for the last two years with the demand for production ever increasing." Ms. Adams also noted Store Director Steve Wenger's comment that the work Ms. Fischer has been performing fits within the Graphic Designer distinguishing characteristics (Exhibit A-13). Based on the example exhibits and additional documentation provided along with her supervisor's clarification of the log, the overall preponderance of duties assigned to Ms. Fischer's position best fit the Graphic Designer classification.

### **Appeal Rights**

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board is P.O. Box 40911, Olympia, Washington, 98504-0911. The physical location of the Personnel Resources Board is 600 South Franklin, Olympia, Washington.

If no further action is taken, the Director's determination becomes final.

cc: Sharone Fischer  
Stephen Sarchet, CWU  
Lisa Skriletz, DOP

Enclosure: Exhibit List

### List of Exhibits

#### **A. Sharone Fischer Exhibits**

1. Request for Director's Review September 14, 2009
2. Letter of explanation from Sharone Fischer dated September 11, 2009
3. Allocation Determination letter dated September 9, 2009
4. Position Review Request no date or signature
5. Class Specification: Graphic Designer (198F)
6. Class Specification: Graphic Designer Senior (198G)
7. Class Specification: Information Technology Specialist 2 (479J)
8. Class Specification: Retail Clerk 2 (227G)
9. Work examples: Annual Report I created & Freshman Orientation project
10. Letter from Sharon Fischer September 30, 2009 Explanation. (examples of graphics attached.)
11. Program Assistant Position Typical Work
12. Example of Project, hours, GR, Worked hours, Percent.
13. CWU Allocation determination letter dated September 28, 2009

#### **B. Central Washington University Exhibits**

1. Position Review Request signed dated & with Supervisor section complete July 6, 2009
2. Log of hours worked by Ms. Fishcer dated August 28, 2009
3. Class Specifications: Graphic Designer (198F)
4. Class Specifications: Program Assistant (107M)
5. Agency Allocation determination letter dated September 9, 2009